

Greg GroteMEYer #K31540
Name and Prisoner/Booking Number
CSATF PRISON AT Corcoran
Place of Confinement
P.O. Box 5242
Mailing Address
Corcoran, California 93212
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

FILED
DEC 13 2021
CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DL DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Greg GroteMEYer)
(Full Name of Plaintiff) Plaintiff,)
v.)
(1) Department of Treasury)
(Full Name of Defendant) INTERNAL Revenue Service)
(2) Fresno, California 93888-0002)
(3))
(4))
Defendant(s).)
☐ Check if there are additional Defendants and attach page 1-A listing them.)

CASE NO. 1:21-cv-01764-NONE-EPG
(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
BY A PRISONER

Jury Trial Demanded

☒ Original Complaint
☐ First Amended Complaint
☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

- ☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983
☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).
☐ Other: _____

2. Institution/city where violation occurred: CSATF PRISON AT Corcoran

RECEIVED

DEC 13 2021

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

B. DEFENDANTS

1. Name of first Defendant: _____ The first Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
2. Name of second Defendant: _____ The second Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
3. Name of third Defendant: _____ The third Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
4. Name of fourth Defendant: _____ The fourth Defendant is employed as:
_____ at _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No

2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:

a. First prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

b. Second prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

c. Third prior lawsuit:

1. Parties: _____ v. _____
2. Court and case number: _____
3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: Corona Virus Aid Relief And Economic Security Act (Cares Act).
2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.
- | | | | |
|--|---|--|---------------------------------------|
| <input checked="" type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: <u>Human Right Violation</u> | |
3. Supporting Facts. State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.
- IN MARCH 2020 THE U.S. CONGRESS PASSED THE CORONA VIRUS AID RELIEF AND ECONOMIC SECURITY ACT (CARES ACT). THE ACT PROVIDED A STIMULUS TAX CREDIT OF \$1,200 FOR ELIGIBLE PEOPLE. ON SEPTEMBER 24, 2020 A FEDERAL COURT RULED THE IRS POSITION WAS LIKELY UNLAWFUL. THE CASE WAS BROUGHT, BY THE CALLED SCHOLL V. MAUCHIN CASE NUMBER: 4:20-CV-5309 PJH (N.D. CAL). THE ORDERED THE IRS TO STOP DENYING PAYMENTS TO PEOPLE SOLELY BECAUSE THEY ARE INCARCERATED. ON DECEMBER 27, 2020 THE CONSOLIDATED APPROPRIATION ACT (CAA) BECAME LAW. THE CAA PROVIDES FOR A SECOND ROUND OF STIMULUS PAYMENTS UP TO \$600.00 PER QUALIFIED PERSON. IF YOU RECEIVED YOUR FIRST STIMULUS PAYMENT YOU SHOULD RECEIVE THE SECOND STIMULUS PAYMENT AUTOMATICALLY. AS OF SEPTEMBER 15, 2021 THERE WAS ALSO \$600.00 MORE FOR THE STIMULUS, FOR INCARCERATED INMATES.
4. Injury. State how you were injured by the actions or inactions of the Defendant(s).
- PETITIONER IS ELDERLY AND DISABLED IN A WHEELCHAIR HAS NO FAMILY NO INCOME AND IS 150% BELOW POVERTY LEVEL
5. Administrative Remedies:
- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
 - Did you submit a request for administrative relief on Claim I? ☐ Yes ☒ No
 - Did you appeal your request for relief on Claim I to the highest level? ☐ Yes ☒ No
 - If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. THIS ISSUE DEALS DIRECTLY WITH THE DEPARTMENT OF TREASURY, INTERNAL REVENUE SERVICE: FRESNO, CALIFORNIA 93888-0062.

E. REQUEST FOR RELIEF

State the relief you are seeking:

As of December 8, 2021 Petitioner Relief is for All Stimulus Payments
Would be sent to Petitioners Trust Account in the form of a check.
To be sent to: Greg Grotemeyer #K31540 to be placed on Personal Account
in the form of a check for stimulus payment.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 8, 2021
DATE

Greg Grotemeyer
SIGNATURE OF PLAINTIFF

Pro Se
(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

Pro Se
(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.

10 of 2

(CLAIM I Continued)

Allegations (1) Petitioner Greg Grotemeyer #K31540 contends on March 8, 2021 Debit Card was sent for the stimulus payment, however due to CSAT Prison AT Corcoran NO RECEIVING Debit Card Payment to be placed on my Trust Account, The Debit Card was sent back To: Department of Treasury, Fresno, California 93888-0002, As of: December 8, 2021 Petitioner has not heard anything about stimulus payment and has mailed several letters however has not received stimulus payment.

Allegations (2) On March 8, 2021 Petitioner contends that he was told due to the Department of Treasury (IRS), Internal Revenue Service: Fresno, California 93888-0002 sending Debit Card To: CSATF Prison at Corcoran and the Facility "NOT Allowing" Debit Card in the form of stimulus payment that a check would be mailed back to Petitioner: Greg Grotemeyer #K31540 promptly to be placed on Petitioner Personal Account.

Allegations (3) Petitioner contends As of: December 8, 2021 there has not been a stimulus payment in the form of a check placed on Petitioner's Personal Account here at: CSATF Prison AT Corcoran.

2 of 2

1 Allegations (4) Petitioner Request that Due to the ruling
2 in the Federal Court Concerning the CARES Act and
3 the Consolidated Appropriation Act, that the Federal
4 Court would exercise its power and authority so
5 that Petitioner would receive all stimulus pay-
6 ments, Due to Petitioner being Elderly and Disa-
7 bled, and 150% Below Poverty Level, The Stimulus
8 Payment currently is Petitioner's only means of
9 survival, currently Petitioner is struggling with
10 the basic necessities: food, cosmetics, toiletry ect.

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16 Dated: December 8, 2021

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18 Time: 2:20 p.m.
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